

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

5:05-CR-4-1-F3

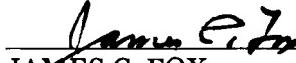
UNITED STATES OF AMERICA )  
                                )  
                                )  
v.                            )         O R D E R  
                                )  
DANIEL WATLINGTON        )  
Defendant.                 )

Daniel Watlington's most recent motion, filed on September 2, 2011 [DE-587], bears the title, "Racial Gerrymandering USCS § 1983, Injunctive Relief, Order, Review by Chief Judge (Flanagan)." Although Watlington's motion is difficult to follow, this court's careful review of it leads to the conclusion that it is not, in fact, a "§ 1983" claim seeking redress for a state actor's violation of a federal constitutional guarantee. Rather, the undersigned perceives the motion to be another attempt by Watlington to have this case assigned to a different district court judge.

Once again, Watlington is seeking relief on grounds that are neither legally nor factually sufficient to force recusal or reassignment of his case. His September 2, 2011, motion [DE-587] is meritless, and it, therefore, is DENIED. This is a final order.

SO ORDERED.

This, the 12<sup>th</sup> day of September, 2011.

  
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JAMES C. FOX  
Senior United States District Judge